

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHSHORE SHEET METAL, INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION, LOCAL
66,

Defendant.

No. 2:15-CV-01349 MJP

**DEFENDANT'S ANSWER TO
PLAINTIFF'S COMPLAINT**

ANSWER

1. No response required.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted that Defendant is the exclusive bargaining representative of certain classifications of Northshore employees. Each and every other allegation not specifically admitted is denied.
6. Admitted that Northshore and the Union are parties to an expired collective bargaining agreement. Admitted that the expired collective bargaining agreement contains a

DEFENDANT'S ANSWER TO PLAINTIFF'S
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LAW OFFICES OF
Robblee Detwiler & Black
2101 FOURTH AVENUE, SUITE 1000
SEATTLE, WA 98121
(206) 467.6700 • FAX (206) 467-7589

1 final and binding arbitration procedure. Admitted that the arbitration procedure is found in the
2 Parties' Letter of Understanding. Each and every other allegation not specifically admitted is
3 denied.

4 7. Admitted.

5 8. Denied.

6 9. Admitted.

7 10. Admitted.

8 11. Admitted.

9 12. Admitted.

10 13. Admitted that Northshore sought information from the Union on July 13, 2015.
11 Each and every other allegation not specifically admitted is denied.

12 14. Admitted that the Union provided a spreadsheet. Each and every other allegation
13 not specifically admitted is denied.

14 15. Admitted that Northshore's attorney requested information again on July 28,
15 2015. Each and every other allegation not specifically admitted is denied.

16 16. Admitted that the parties are also in the process of bargaining a new successor
17 labor agreement. Each and every other allegation not specifically admitted is denied.

18 17. Admitted that the parties met for bargaining on August 7. Admitted that the
19 Union indicated that a strike was possible. Each and every other allegation not specifically
20 admitted is denied.

21 18. Admitted that the Union held a strike authorization vote related to Northshore on
22 August 10, 2015. Each and every other allegation not specifically admitted is denied.

23 19. Admitted that the Union's attorney sent a letter to Northshore's attorney dated
24 August 13, 2015. Each and every other allegation not specifically admitted is denied.

25 20. Denied.

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1 21. Admitted.

2 22. Denied.

3 23. Denied.

4 24. Denied.

5 25. Denied.

6 26. Denied.

7 27. Denied.

8 28. Admitted that Northshore's bargaining unit employees have proceeded to engage
9 in a concentrated work stoppage and picketed Northshore. Each and every other allegation not
10 specifically admitted is denied.

11 29. Denied for lack of information.

12 30. Denied.

13 31. Denied.

14 32. Denied.

15 33. Admitted that the Union has engaged in strike activity on job sites. Each and
16 every other allegation not specifically admitted is denied.

17 34. Admitted that some strikers carried signs stating "Northshore Pay My Benefits!
18 Labor Dispute".

19 35. Denied.

20 36. Denied.

21 37. Denied.

22 38. Denied.

23 39. Admitted.

24 40. Admitted.

25
DEFENDANT'S ANSWER TO PLAINTIFF'S
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3. Plaintiff's claims are barred by the doctrine of unclean hands, laches, estoppel and/or waiver.

4. Local's 66's conduct is permitted and/or protected by the First Amendment, the National Labor Relations Act, and/or the Labor-Management Relations Act.

5. Local 66 reserves the right to raise additional affirmative defenses.

DATED this 27th day of October, 2015.

DATED this 27th day of October, 2015.

s/Daniel Hutzenbiler
Daniel Hutzenbiler, WSBA No. 36938
Robblee Detwiler & Black, P.L.L.P.
2101 Fourth Ave, Suite 1000
Seattle, Washington 98121
Telephone: (206) 467-6700
Fax: (206) 467-7589
E-mail: dhutzenbiler@unionattorneysnw.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on October 27th, 2015, I electronically filed the foregoing
DEFENDANT'S ANSWER TO PLAINTIFF'S COMPLAINT with the Clerk of the Court
using the CM/ECF system, which will send notice of such filing to the following:

Christopher L. Hilgenfeld
Davis Grimm Payne & Marra
701 Fifth Ave, Suite 4040
Seattle, Washington 98104

s/Daniel Hutzenbiler
Daniel Hutzenbiler, WSBA No. 36938
Robblee Detwiler & Black, P.L.L.P.
2101 Fourth Ave, Suite 1000
Seattle, Washington 98121
Telephone: (206) 467-6700
Fax: (206) 467-7589
E-mail: dhutzenbiler@unionattorneysnw.com

Attorneys for Defendant